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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,660	02/04/2004	Gerd Wilsdorf	2001P16029WOUS	3537
46726	7590	08/17/2006	EXAMINER	
JOHN T. WINBURN 100 BOSCH BOULEVARD NEW BERN, NC 28562			TRUONG, BAO Q	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/771,660	Applicant(s) WILSDORF ET AL.	
	Examiner Bao Q. Truong	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "a dimmer circuit" of claims 15 and 16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. Claims 18 and 19 are objected to because of the following informalities: "it" in line 3 should be changed to what it refers. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 11-14 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Seok et al. [US 5,909,950].

Regarding claim 11, Seok et al. discloses a domestic appliance [a refrigerator] having an appliance body [at R] with a space therein, an illumination device [L] for illuminating the space, a door [D], a contact element [13], an electrical circuit [11] for automatically switch on the illumination device [L] as a function of human touch on the contact element [13], the contact element [13] formed as a capacitor body including a portion formed of an electrically conductive material [characteristics inherently as a touch sensor switch, see U.S. 6,119,678; U.S. 6,545,614; U.S. 4,290,052], an

electrically conductive path [wire in circuitry between 13, 17, 15, 11], and the control circuit [11] sensing the contact element's characteristics for switching on the illumination device [L] (Figures 1-6, whole document).

Regarding claim 12, Seok et al. discloses a door handle [H] forming the contact element [13] (figure 6).

Regarding claim 13, Seok et al. discloses a switch actuated [SW] by the door [D] and electrically connected to the control circuit [11] (figures 3, 5 and 6).

Regarding claim 14, Seok et al. discloses the control circuit [11] being arranged in the appliance body [at R], the electrically conductive path [wires therein] including an interruption contact arrangement [SW] which closes/opens the path [wires] when the door [D] is closed/opened, the interruption contact arrangement [SW] including a contact part [inherently, see U.S. 2,104,164; U.S. 5,980,058] contacting the door [D] (figures 3, 5, 6, whole document).

Regarding claim 17, Seok et al. discloses an electrically conductive path [wires between 13, 17, 15, 11], the touch sensor [13] being on the handle [H], and inherently there is a securing element for securing the door handle [H] to the door [D] (figures 3, 5 and 6).

Regarding claims 18 and 19, Seok et al. discloses a contact element [a touch sensor 13] on the door handle [H] inherently having a portion of electrically conductive material and an electrically insulating material [see a touch sensor switch details in U.S. 6,119,678; U.S. 6,545,614; U.S. 4,290,052] (figures 3, 5 and 6).

Regarding claim 20, Seok et al. discloses an appliance operation circuit [12] coupled to the control circuit [11] automatically switching on the illumination device [L] as a function of the switching state of the appliance operation circuit [11] (figure 3, whole document).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seok et al. in view of Waldrep [US 6,373,030].

Regarding claims 15 and 16, Seok et al. discloses a control circuit [11 for switching on/off the illumination device [L] (figure 3), but does not clearly disclose the dimmer circuit.

Waldrep discloses a dimmer circuit [60, 62] in a domestic appliance for switching lamps [40, 42, 44, 46] on/off (figures 1, 2, 5, column 2 lines 20-30, column 3 lines 50-60).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the control circuit of Seok et al. with the dimmer circuit as taught by Waldrep to controlling current or voltage for purpose of providing an advantageous way of controlling light intensity in a design area.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 11-20 have been considered. In which, the applicant has filed a petition to correct the priority data for the present application, which is a US National Stage under 35 USC 371 of International Application No. PCT/EP02/08785. However, the claims are moot in view of the new ground(s) of rejection. A new reference, U.S. 5,909,950 is applied.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

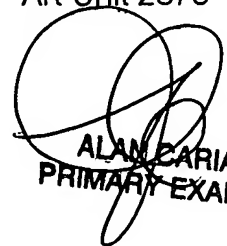
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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Bao Q. Truong  
Examiner  
Art Unit 2875



ALAN CARIASO  
PRIMARY EXAMINER